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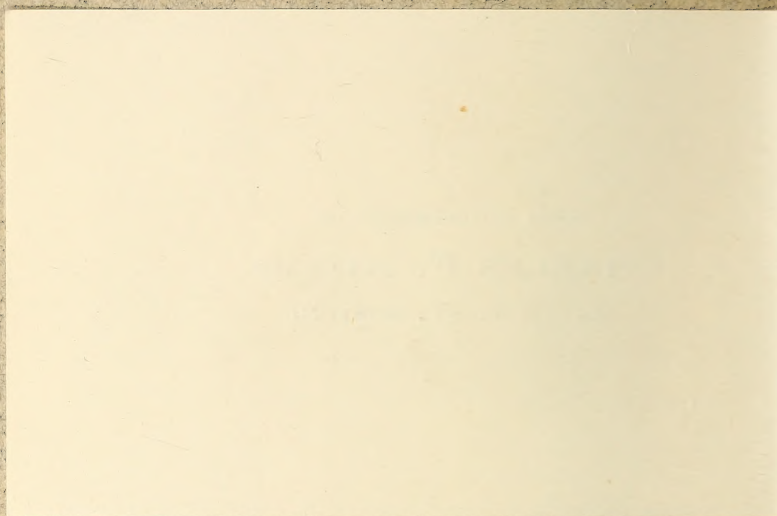
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LEE'S CENTENNIAL

AN · ADDRESS · BY
CHARLES · FRANCIS · ADAMS
DELIVERED · AT · LEXINGTON · VIRGINIA
SATURDAY · JANUARY · 19 · 1907
ON · THE · INVITATION · OF
THE · PRESIDENT · AND · FACULTY · OF
WASHINGTON · AND · LEE
UNIVERSITY



WITH COMPLIMENTS OF
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LEE'S CENTENNIAL

HAVING occasion once to refer in discussion to certain of the founders of our Massachusetts Commonwealth, I made the assertion that their force "lay in character;" and I added that in saying this I paid, and meant to pay, the highest tribute which in my judgment could be paid to a community or to its typical men. Quite a number of years have passed since I so expressed myself, and in those years I have grown older — materially older; but I now repeat even more confidently than I then uttered them, these other words — "The older I have grown and the more I have studied and seen, the greater in my esteem, as an element of strength in a people, has Character become, and the less in the conduct of human affairs have I thought of mere capacity or even genius. With Character a race will become great, even though as stupid and unassimilating as the Romans; without Character, any race will in the long run prove a failure, though it may number in it individuals having all the brilliancy of the Jews, crowned with the genius of Napoleon." We

are here to-day to commemorate the birth of Robert Edward Lee, — essentially a Man of Character. That he was such all I think recognize; for, having so impressed himself throughout life on his cotemporaries, he stands forth distinctly as a man of character on the page of the historian. Yet it is not easy to put in words exactly what is meant when we agree in attributing character to this man or to that, or withholding it from another; — conceding it, for instance, to Epaminondas, Cato and Wellington, but withholding it from Themistocles, Cæsar or Napoleon. Though we can illustrate what we mean by examples which all will accept, we cannot define. Emerson in his later years (1866) wrote a paper on "Character;" but in it he makes no effort at a definition. "Character," he said, "denotes habitual self-possession, habitual regard to interior and constitutional motives, a balance not to be overset or easily disturbed by outward events and opinion, and by implication points to the source of right motive. We sometimes employ the word to express the strong and consistent will of men of mixed motive; but, when used with emphasis, it points to what no events can change, that is a will built of the reason of things." The more matter-of-fact lexicographer defines Character as "the sum of the inherited and acquired

ethical traits which give to a person his moral individuality." To pursue further the definition of what is generally understood would be wearisome, so I will content myself with quoting this simile from a disciple of Emerson — "The virtues of a superior man are like the wind; the virtues of a common man are like the grass; the grass, when the wind passes over it, bends."

That America has been rich in these men of superior virtues before whom the virtues of the common man have bent, is matter of history. It has also been our making as a community. Such in New England was John Winthrop, whose lofty example still influences the community whose infancy he fathered. Such in New York was John Jay. Such, further south, was John Caldwell Calhoun, essentially a man of exalted character and representative of his community, quite irrespective of his teachings and their outcome. Such unquestionably in Virginia were George Washington and John Marshall; and, more recently, Robert Edward Lee. A stock, of which those three were the consummate flower, by its fruits is known.

Here to commemorate the centennial of the birth of Lee, I do not propose to enter into any eulogium of the man, to recount the well-known events of his career, or to estimate the

final place to be assigned him among great military characters. All this has been sufficiently done by others far better qualified for the task. Eschewing superlatives also, I shall institute no comparisons. One of a community which then looked upon Lee as a renegade from the flag he had sworn to serve, and a traitor to the Nation which had nurtured him, in my subordinate place I directly confronted Lee throughout the larger portion of the War of Secession. During all those years there was not a day in which my heart would not have been gladdened had I heard that his also had been the fate which at Chancellorsville befell his great lieutenant; and yet more glad had it been the fortune of the command in which I served to visit that fate upon him. Forty more years have since gone. Their close finds me here to-day — certainly a much older, and, in my own belief at least, a wiser man. Nay, more! A distinguished representative of Massachusetts, speaking in the Senate of the United States shortly after Lee's death upon the question of a return to Lee's family of the ancestral estate of Arlington, used these words: "Eloquent Senators have already characterized the proposition and the traitor it seeks to commemorate. I am not disposed to speak of General Lee. It is enough to say he stands high in the catalogue of those who

have imbrued their hands in their country's blood. I hand him over to the avenging pen of History." It so chances that not only am I also from the State of Massachusetts, but, for more than a dozen years, I have been the chosen head of its typical historical society, — the society chartered under the name and seal of the Commonwealth considerably more than a century ago, — the parent of all similar societies. By no means would I on that account seem to ascribe to myself any representative character as respects the employment of History's pen, whether avenging or otherwise;¹ nor do I appear here as representative of the Massachusetts Historical Society: but, a whole generation having passed away since Charles Sumner uttered the words I have quoted, I do, on your invitation, chance to stand here to-day, as I have said, both a Massachusetts man and the head of the Massachusetts Historical Society, to pass judgment upon General Lee. The situation is thus to a degree dramatic.

Though, in what I am about to say I shall

¹ Possibly, and more properly, this attribute might be considered as pertaining rather to James Ford Rhodes, also a member of the Society referred to, and at present a Vice-President of it. Mr. Rhodes' characterization of General Lee, and consequent verdict on the course pursued by him at the time under discussion, can be found on reference to his *History of the United States* (vol. iii, p. 413).

confine myself to a few points only, to them I have given no little study, and on them have much reflected. Let me, however, once for all, and with emphasis, in advance say I am not here to instruct Virginians either in the history of their State or the principles of Constitutional Law; nor do I make any pretence to profundity whether of thought or insight. On the contrary I shall attempt nothing more than the elaboration of what has already been said by others as well as by me, such value or novelty as may belong to my share in the occasion being attributable solely to the point of view of the speaker. In that respect, I submit, the situation is not without novelty; for, so far as I am aware, never until now has one born and nurtured in Massachusetts — a typical bred-in-the-bone Yankee, if you please — addressed at its invitation a Virginian audience, on topics relating to the War of Secession and its foremost Confederate military character.

Coming directly to my subject, my own observation tells me that the charge still most commonly made against Lee in that section of the common country to which I belong and with which I sympathize is that, in plain language, he was false to his flag, — educated at the national academy, an officer of the United States Army, he abjured his allegiance and

bore arms against the government he had sworn to uphold. In other words he was a military traitor. I state the charge in the tersest language possible; and the facts are as stated. Having done so, and admitting the facts, I add as the result of much patient study and most mature reflection, that under similar conditions I would myself have done exactly what Lee did. In fact, I do not see how I, placed as he was placed, could have done otherwise.

And now fairly entered on the first phase of my theme, I must hurry on; for I have much ground to traverse, and scant time in which to cover it. I must be concise, but must not fail to be explicit. And first as to the right or wrong of secession, this theoretically; then practically, as to what secession in the year of grace 1861 necessarily involved.

If ever a subject had been thoroughly thrashed out, — so thrashed out in fact as to offer no possible gleaning of novelty, — it might be inferred that this was that subject. Yet I venture the opinion that such is not altogether the case. I do so moreover not without weighing words. The difficulty with the discussion has to my mind been that throughout it has in essence been too abstract, legal and technical, and not sufficiently historical, sociological and human. It has turned on

the wording of instruments, in themselves not explicit, and has paid far too little regard to traditions and local ties. As matter of fact, however, actual men as they live, move and have their being in this world, caring little for parchments or theory, are the creatures of heredity and local attachments. Coming directly to the point, I maintain that every man in the eleven States seceding from the Union had in 1861, whether he would or no, to decide for himself whether to adhere to his State or to the Nation; and I finally assert that, whichever way he decided, if only he decided honestly, putting self-interest behind him, he decided right.

Paradoxical as it sounds, I contend, moreover, that this was indisputably so. It was a question of Sovereignty — State or National; and from a decision of that question there was in a seceded State escape for no man. Yet when the national Constitution was framed and adopted that question was confessedly left undecided; and intentionally so left. More than this, even: the Federal Constitution was theoretically and avowedly based on the idea of a divided sovereignty, in utter disregard of the fact that, when a final issue is presented, sovereignty does not admit of division.

Yet even this last proposition, basic as it is,

I have heard denied. I have frequently had it replied that, as matter of fact, sovereignty is frequently divided, — divided in domestic life, — divided in the apportionment of the functions of government. Those thus arguing, however, do so confusedly. They confound sovereignty with an agreed, but artificial, *modus vivendi*. The original constitution of the United States was, in fact, in this important respect just that, — a *modus vivendi*: — under the circumstances a most happy and ingenious expedient for overcoming an obstacle in the way of nationality, otherwise insurmountable. To accomplish the end they had in view, the framers had recourse to a metaphysical abstraction, under which it was left to time and the individual to decide, when the final issue should arise, if it ever did arise — as they all devoutly hoped it never would arise — where sovereignty lay. There is nothing in connection with the history of our development more interesting from the historical point of view than the growth, the gradual development of the spirit of nationality, carrying with it sovereignty. It has usually been treated as a purely legal question to be settled on the verbal construction of the instruments, — “We, the People,” etc. Webster so treated it. In all confidence I maintain that it is

not a legal question; it is purely an historical question. As such, furthermore, it has been decided, and correctly decided, both ways at different times in different sections, and at different times in opposite ways in the same section.

And this was necessarily and naturally so; for, as development progressed along various lines and in different localities, the sense of allegiance shifted. Two whole generations passed away between the adoption of the Federal Constitution and the War of Secession. When that war broke out in 1861 the last of the framers had been a score of years in his grave; but evidence is conclusive that until the decennium between 1830 and 1840 the belief was nearly universal that in case of a final, unavoidable issue, sovereignty resided in the State, and to it allegiance was due. The law was so laid down in the Kentucky resolves of 1798; and to the law as thus laid down Webster assented. Chancellor Rawle so propounded the law; and such was the understanding of so unprejudiced and acute a foreign observer as De Tocqueville.¹

The technical argument — the logic of the proposition — seems plain and, to my thought, unanswerable. The original sovereignty was indisputably in the State; in

¹ See Appendix A.

order to establish a nationality certain attributes of sovereignty were ceded by the States to a common central organization; all attributes not thus specifically conceded were reserved to the States, and no attributes of moment were to be construed as conceded by implication. There is no attribute of sovereignty so important as allegiance, — citizenship. So far all is elementary. Now we come to the crux of the proposition. Not only was allegiance — the right to define and establish citizenship — not among the attributes specifically conceded by the several States to the central nationality, but, on the contrary, it was explicitly reserved, the instrument declaring that “the citizens of each State” should be entitled to “all Privileges and Immunities of Citizens in the several States.” Ultimate allegiance was, therefore, due to the State which defined and created citizenship, and not to the central organization which accepted as citizens whomever the States pronounced to be such.¹

Thus far I have never been able to see where room was left for doubt. Citizenship

¹ See W. H. Fleming, *Slavery and the Race Problem at the South*, pp. 19, 20. An authoritative definition of United States citizenship, as distinct from the citizenship of a State, was first given in the fourteenth amendment to the Federal Constitution, ratified in 1868. See J. S. Wise, *A Treatise on American Citizenship*, pp. 6, 13, 31.

was an attribute recognized by the Constitution as originating with, and of course belonging to, the several States. But, speaking historically and in a philosophical rather than in a legal spirit, it is little more than a commonplace to assert that one great safeguard of the Anglo-Saxon race — what might almost be termed its political palladium — has ever been that hard, if at times illogical, common sense which, recognizing established custom as a binding rule of action, found its embodiment in what we are wont with pride to term the Common Law. Now, just as there can, I think, be no question as to the source of citizenship and, consequently, as to sovereignty, when the Constitution was originally adopted, there can be equally little question that during the lives of the two succeeding generations a custom of nationality grew up which became the accepted Common Law of the land, and practically binding as such. This was true in the South as well as the North, though the custom was more hardened into accepted law in the latter than in the former; but the growth and acceptance as law of the custom of nationality even in the South was incontrovertibly shown in the very act of secession, — the seceding States at once crystallizing into a Confederacy. Nationality was assumed as a thing of course.

But the metaphysical abstraction of a divided sovereignty, none the less, bridged the chasm. As a *modus vivendi* it did its work. I have called it a metaphysical abstraction; but it was also a practical arrangement resulting in great advantages. It might be illogical, and fraught with possible disputes and consequent dangers; but it was an institution. And so it naturally came to pass that in many of the States a generation grew up, dating from the War of 1812, who, gravitating steadily and more and more strongly to nationality, took a wholly different view of allegiance. For them Story laid down the law; Webster was their mouthpiece; at one time it looked as if Jackson was to be their armed exponent. They were, moreover, wholly within their right. The sovereignty was confessedly divided; and it was for them to elect. The movements of both science and civilization were behind the nationalists. The railroad obliterated State lines, while it unified the nation. What did the foreign immigrants, now swarming across the ocean, care for States? They knew only the Nation. Brought up in Europe, the talk of State sovereignty was to them foolishness. Its alphabet was incomprehensible. In a word, it too "was caviare to the general."

Then the inevitable issue arose; and it

arose over African slavery; and slavery was sectional. The States south of a given line were arrayed against the States north of that line. Owing largely to slavery, and the practical exclusion of immigrants because thereof, the States of the South had never undergone nationalization at all to the extent those of the North had undergone it. The growing influence and power of the national government, the sentiment inspired by the wars in which we had been engaged, the rapidly improving means of communication and intercourse, had produced their effects in the South; but in degree far less than in the North. Thus the curious result was brought about that, when, at last, the long deferred issue confronted the country, and the *modus vivendi* of two generations was brought to a close, those who believed in national sovereignty constituted the conservative majority, striving for the preservation of what then was, — the existing nineteenth-century Nation, — while those who passionately adhered to State sovereignty, treading in the footsteps of the fathers, had become eighteenth-century reactionists. Legally, each had right on his side. The theory of a divided Sovereignty had worked itself out to its logical consequence. “Under which King, Bezonian?” — and every man had to “speak or die.”

In the North the situation was simple. State and Nation stood together. The question of allegiance did not present itself, for the two sovereignties merged. It was otherwise in the South; and there the question became, not legal or constitutional, but practical. The life of the Nation had endured so long, the ties and ligaments had become so numerous and interwoven that, all theories to the contrary notwithstanding, a peaceable secession from the Union — a virtual exercise of State sovereignty — had become impossible. If those composing the several dissatisfied communities would only keep their tempers under restraint, and exercise an almost unlimited patience, a theoretical divided sovereignty, maintained through the agency and intervention of the Supreme Court, — in other words the perpetuation of the *modus vivendi*, — was altogether practicable; and probably this was what the framers had in mind under such a contingency as had now arisen. But that, after seventy years of Union and nationalization, a peaceable and friendly taking to pieces was possible, is now, as then it was, scarcely thinkable. Certainly, with a most vivid recollection of the state of sectional feeling which then existed, I do not believe there was a man in the United States — I am confi-

dent there was not a woman in the South — who fostered self-delusion to the extent of believing that the change was to come about without a recourse to force. In other words practical Secession was revolution theoretically legal. Why waste time and breath in discussion! — The situation becomes manifestly impossible of continuance where the issue between heated men, with weapons handy, is over a metaphysical distinction involving vast material and moral consequences. Lee, with intuitive common sense, struck the nail squarely on the head when amidst the Babel of discordant tongues he wrote to his son — “It is idle to talk of secession;” the national government as it then was “can only be dissolved by revolution.” That struggle of dissolution might be longer and fiercer, — as it was, — or shorter, and more wordy than blood-letting, — as the seceding States confidently believed would prove to be the case, — but a struggle there would be.

Historically, such were the conditions to which natural processes of development had brought the common country at the mid-decennium of the century. People had to elect; the *modus vivendi* was at an end. — Was the State sovereign; or was the Nation sovereign? And, with a shock of genuine surprise that any doubt should exist on that head, eleven

States arrayed themselves on the side of the Sovereignty of the State and claimed the unquestioning allegiance of their citizens; and I think it not unsafe to assert that nowhere did the original spirit of State Sovereignty and allegiance to the State then survive in greater intensity and more unquestioning form than in Virginia, — the “Old Dominion,” — the mother of States and of Presidents. And here I approach a sociological factor in the problem more subtle and also more potent than any legal consideration. It has no standing in Court: but the historian may not ignore it; while, with the biographer of Lee, it is crucial. Upon it judgment hinges. I have not time to consider how or why such a result came about, but of the fact there can, I hold, be no question, — State pride, a sense of individuality, has immemorially entered more largely and more intensely into Virginia and Virginians than into any other section or community of the country. Only in South Carolina and among Carolinians, on this continent, was a somewhat similar pride of locality and descent to be found. There was in it a flavor of the Hidalgo, — or of the pride which the Macgregors and Campbells took in their clan and country. In other words, the Virginian and the Carolinian had in the middle of the last century not un-

dergone nationalization to any appreciable extent.

But this, it will be replied, though true of the ordinary man and citizen, should not have been true of the graduate of the military academy, the officer of the Army of the United States. Winfield Scott and George H. Thomas did not so construe their allegiance; when the issue was presented, they remained true to their flag and to their oaths. Robert E. Lee, false to his oath and flag, was a renegade! The answer is brief and to the point: — the conditions in the several cases were not the same, — neither Scott nor Thomas was Lee. It was our Boston Dr. Holmes who long ago declared that the child's education begins about two hundred and fifty years before it is born; and it is quite impossible to separate any man — least of all, perhaps, a full-blooded Virginian — from his prenatal traditions and living environment. From them he drew his being; in them he exists. Robert E. Lee was the embodiment of those conditions, the creature of that environment, — a Virginian of Virginians. His father was "Light Horse Harry" Lee, a devoted follower of Washington; but in January, 1792, "Light Horse Harry" wrote to Mr. Madison: "No consideration on earth could induce me to act a part, however gratifying to me,

which could be construed into disregard of, or faithlessness to, this Commonwealth;" and later, when in 1798 the Virginia and Kentucky resolutions were under discussion, "Light Horse Harry" exclaimed in debate, "Virginia is my country; her will I obey, however lamentable the fate to which it may subject me." Born in this environment, nurtured in these traditions, to ask Lee to raise his hand against Virginia was like asking Montrose or the MacCallum More to head a force designed for the subjection of the Highlands and the destruction of the clans. Where such a stern election is forced upon a man as then confronted Lee, the single thing the fair-minded investigator has to take into account is the loyalty, the single-mindedness of the election. Was it devoid of selfishness, — was it free from any baser and more sordid worldly motive, — ambition, pride, jealousy, revenge or self-interest? To this question there can, in the case of Lee, be but one answer. When, after long and trying mental wrestling, he threw in his fate with Virginia, he knowingly sacrificed everything which man prizes most, — his dearly beloved home, his means of support, his professional standing, his associates, a brilliant future assured to him. Born a slaveholder in a race of slaveholders, he was himself no defender, much less an advocate of

slavery; on the contrary, he did not hesitate to pronounce it in his place "a moral and political evil." Later, he manumitted his slaves. He did not believe in secession; as a right reserved under the Constitution he pronounced it "idle talk:" but, as a Virginian, he also added, "if the Government is disrupted, I shall return to my native State and share the miseries of my people, and save in defence will draw my sword on none." Next to his high sense of allegiance to Virginia was Lee's pride in his profession. He was a soldier; as such rank, and the possibility of high command and great achievement, were very dear to him. His choice put rank and command behind him. He quietly and silently made the greatest sacrifice a soldier can be asked to make. With war plainly impending, the foremost place in the army of which he was an officer was now tendered him; his answer was to lay down the commission he already held. Virginia had been drawn into the struggle; and, though he recognized no necessity for the state of affairs, "in my own person," he wrote, "I had to meet the question whether I should take part against my native State; I have not been able to make up my mind to raise my hand against my relatives, my children, my home." It may have been treason to take this position; the man who took it, uttering these

words and sacrificing as he sacrificed, may have been technically a renegade to his flag, — if you please, false to his allegiance; but he stands awaiting sentence at the bar of history in very respectable company. Associated with him are, for instance, William of Orange, known as The Silent, John Hampden, the original *Pater Patriae*, Oliver Cromwell, the Protector of the English Commonwealth, Sir Harry Vane, once a governor of Massachusetts, and George Washington, a Virginian of note. In the throng of other offenders I am also gratified to observe certain of those from whom I not unproudly claim descent. They were, one and all, in the sense referred to, false to their oaths — forsworn. As to Robert E. Lee, individually, I can only repeat what I have already said, — if in all respects similarly circumstanced, I hope I should have been filial and unselfish enough to have done as Lee did.”¹ Such an utterance on my part may be “traitorous;” but I here render that homage.

In Massachusetts, however, I could not even in 1861 have been so placed; for, be it because of better or worse, Massachusetts was not Virginia; — no more Virginia than England once was Scotland, or the Lowlands the Highlands. The environment, the ideals, were

¹ See *Lee at Appomattox and Other Papers* (second edition), pp. 414–416.

in no respect the same. In Virginia, Lee was Macgregor; and, where Macgregor sat, there was the head of the table.

Into Lee's subsequent military career, there is no call here to enter; nor shall I undertake to compare him with other great military characters whether contemporaneous or of all time. As I said when I began, the topic has been thoroughly discussed by others; and, moreover, the time limitation here again confronts me. I must press on. Suffice it for me, as one of those then opposed in arms to Lee, however subordinate the capacity, to admit at once that, as a leader, he conducted operations on the highest plane. Whether acting on the defensive upon the soil of his native State, or leading his army into the enemy's country, he was humane, self-restrained and strictly observant of the most advanced rules of civilized warfare. He respected the non-combatant; nor did he ever permit the wanton destruction of private property. His famous Chambersburg order was a model which any invading general would do well to make his own; and I repeat now what I have heretofore had occasion to say, "I doubt if a hostile force of an equal size ever advanced into an enemy's country, or fell back from it in retreat, leaving behind less cause of hate and bitterness than did the

Army of Northern Virginia in that memorable campaign which culminated at Gettysburg."

And yet that Gettysburg campaign is an episode in Lee's military career which I am loth wholly to pass over; for the views I entertain of it are not in all respects those generally held. Studied in the light of results, that campaign has been criticised; the crucial attack of Gettysburg's third day has been pronounced a murderous persistence in a misconception; and, among Confederate writers especially, the effort has been to relieve Lee of responsibility for final miscarriage, transferring it to his lieutenants. As a result reached from participation in those events and subsequent study of them, briefly let me say I concur in none of these conclusions. Taking the necessary chances incident to all warfare on a large scale into consideration, the Gettysburg campaign was in my opinion timely, admirably designed, energetically executed, and brought to a close with consummate military skill. A well considered offensive thrust of the most deadly character, intelligently aimed at the opponent's heart, its failure was of the narrowest; and the disaster to the Confederate side which that failure might readily have involved was no less skillfully than successfully averted.

I cannot here and now enter into details. But I hold that credit, and the consequent

measure of applause, in the outcome of that campaign belong to Lee's opponent, and not to him. All the chances were in Lee's favor, and he should have won a great victory; and Meade should have sustained a decisive defeat. As it was, Meade triumphantly held his ground; Lee suffered a terrible repulse, his deadly thrust was foiled, and his campaign was a failure.

So far as Lee's general plan of campaign, and the movements which culminated in the battle of Gettysburg, were concerned, in war, be it always and ever remembered, a leader must take some chances, and mistakes will occur; but the mistakes are rarely, if ever, all on one side. They tend to counterbalance each other; and, commanders and commanded being at all equal, not unseldom it is the balance of misconceptions, shortcomings, mis-carriages, and the generally unforeseen and indeed unforeseeable, which tips the scale to victory or defeat. I have said that I proposed to avoid comparisons; at best such are invidious, and, under present circumstances, might from me be considered as doubtful in matter of taste. I think, however, some things too obvious to admit of denial; or, consequently, to suggest comparison. About every crisp military aphorism is as matter of course attributed to Napoleon; and so Napoleon is

alleged first to have remarked that — “In war, men are nothing; a man is everything.” And, as formerly a soldier of the Army of the Potomac, I now stand appalled at the risk I unconsciously ran anterior to July, 1863, when confronting the Army of Northern Virginia, commanded as it then was and as we were. The situation was in fact as bad with us in the Army of the Potomac as it was with the Confederates in the Southwest. The unfortunate Pemberton there was simply not in the same class as Grant and Sherman, to whom he found himself opposed. Results there followed accordingly. So, in Virginia, Lee and Jackson made an extraordinary, a most exceptional combination. They outclassed McClellan and Burnside, Pope and Hooker; outclassed them sometimes terribly, sometimes ludicrously, always hopelessly: and results in that case also followed accordingly. That we were not utterly destroyed constitutes a flat and final refutation of the truth of Napoleon’s aphorism. If we did not realize the facts of the situation in this respect, our opponents did. Let me quote the words of one of them: “There was, however, one point of great interest in [the rapid succession of the Federal commanders], and that was our amazement that an army could maintain even so much as its organization under the

depressing strain of those successive appointments and removals of its commanding generals. And to-day (1903) I, for one, regard the fact that it did preserve its cohesion and its fighting power under, and in spite of such experiences, as furnishing impressive demonstration of the high character and intense loyalty of our historic foe, the Federal Army of the Potomac.”¹

Notwithstanding the fact that until the death of Jackson and the Gettysburg campaign we were thus glaringly outclassed, and at a corresponding disadvantage in every respect save mere men and equipment, the one noticeable feature of the succession of Virginia campaigns from that of 1862 to that of 1864, was their obstinacy and indecisive character. The advantage would be sometimes on one side, sometimes on the other: but neither side could secure an indisputable supremacy. This was markedly the case at Gettysburg; and yet, judging by the Confederate accounts of that campaign which have met my eye, the inference would be that the Union forces labored under no serious disadvantage, while Lee's plans and tactics were continually compromised by untoward accident, or the precipitation or remissness of his subordinates. My study of what then

¹ Stiles, *Four Years under Marse Robert*, p. 21.

took place leads me to a wholly opposite conclusion. Well conceived and vigorously carried out as that campaign was on the part of the Confederate leader, the preponderance of the accidental — the blunders, the unforeseeable, the misconceptions and the miscarriages — was distinctly in Lee's favor. On any fair weighing of chances, he should have won a decisive victory; as a matter of actual outcome, he and his army ought to have been destroyed. As usual, on that theatre of war at the time, neither result came about.

First as to the chapter of accidents, — the misconceptions, miscarriages and shortcomings. If, as has been alleged, an essential portion of Lee's force was at one time out of reach and touch, and if, at the critical moment, a lieutenant was not promptly in place at a given hour, on the Union side an unforeseen change of supreme command went into effect when battle was already joined, and the newly appointed commander had no organized staff; his army was not concentrated; his strongest corps was over thirty miles from the point of conflict; and the two corps immediately engaged should have been destroyed in detail before reinforcements could have reached them. In addition to all this — superadded thereto — the most skilful general and perhaps the fiercest fighter on the Union side was

killed at the outset, and his line of battle was almost fatally disordered by the misconception of a corps commander.

The chapter of accidents thus reads all in Lee's favor. But, while Lee on any fair weighing of chances stands in my judgment more than justified both in his conception of the campaign and in every material strategic move made in it, he none the less fundamentally misconceived the situation, with consequences which should have been fatal both to him and to his command. Frederick did the same at Kunersdorf; Napoleon, at Waterloo. In the first place, Lee had at that time supreme confidence in his command; and he had grounds for it. As he himself then wrote — "There never were such men in an army before. They will go anywhere and do anything, if properly led." And, for myself, I do not think the estimate thus expressed was exaggerated; speaking deliberately, having faced some portions of the Army of Northern Virginia at the time and having since reflected much on the occurrences of that momentous period, I do not believe that any more formidable or better organized and animated force was ever set in motion than that which Lee led across the Potomac in the early summer of 1863. It was essentially an army of fighters, — men

who, individually or in the mass, could be depended on for any feat of arms in the power of mere mortals to accomplish. They would blanch at no danger. This Lee from experience knew. He had tested them; they had full confidence in him. He also thought he knew his opponent; and here too his recent experience justified him.

The disasters which had befallen the Confederates in the Southwest in the spring and early summer of 1863 had to find compensation in the East. The exigencies of warfare necessitated it. Some risk must be incurred. So Lee determined to strike at his opponent's heart. He had what he believed to be the better weapon; and he had reason for considering himself incomparably the superior swordsman. He was; of that he had at Chancellorsville satisfied himself and the world. Then came the rapid, aggressive move; and the long, desperately contested struggle at Gettysburg, culminating in that historic charge of Pickett's Virginia division. Paradoxical as it may sound, in view of the result, that charge — what those men did — justified Lee. True, those who made the charge did not accomplish the impossible; but towards it they did all that mortal men could do. But it is urged that Lee should have recognized the impossible when face to face con-

fronted by it, and not have directed brave men to lay down their lives in the vain effort to do it. That is true; and, as Lee is said to have once remarked in another connection, "Even as poor a soldier as I am can generally discover mistakes after it is all over." After Gettysburg was over, like Frederick at Kunersdorf and Napoleon at Waterloo, Lee doubtless discovered his mistake. It was a very simple one: he undervalued his opponent. The temper of his own weapon he knew; he made no mistake there. His mistake lay in his estimate of his antagonist: but that estimate again was based on his own recent experience, though in other fields.

On the other hand, from the day I rode over the field of Gettysburg immediately following the fight, to that which now is, I have fully and most potently believed that only some disorganized fragments of Lee's army should after that battle have found their way back to Virginia. The war should have collapsed within sixty days thereafter. Foreighteen hours after the repulse of Pickett's division, I have always felt and now feel, the fate of the Army of Virginia was as much in General Meade's hands as was the fate of the army led by Napoleon in the hands of Blücher on the night of Waterloo. As an aggressive force, the Confederate army was

fought out. It might yet put forth a fierce defensive effort; it was sure to die game: but it was impotent for attack. Meade had one entire corps — perhaps his best, — his Sixth, commanded by Sedgwick — intact and in reserve. It lay there cold, idle, formidable. The true counter movement for the fourth day of continuous fighting would on Meade's part have been an exact reversal of Lee's own plan of battle for the third day. That plan, as described by Fitzhugh Lee, was simple. "His [Lee's] purpose was to turn the enemy's left flank with his First Corps, and, after the work began there, to demonstrate against his lines with the others in order to prevent the threatened flank from being reinforced, these demonstrations to be converted into a real attack as the flanking wave of battle rolled over the troops in their front." What Lee thus proposed for Meade's army on the third day, Meade should unquestionably have returned on Lee's army upon the fourth day. Sedgwick's corps should then have assailed Lee's right and rear. I once asked a leading Confederate general, who had been in the very thick of it at Gettysburg, what would have been the outcome had Meade, within two hours of the repulse of Pickett, ordered Sedgwick to move off to the left, and, occupying Lee's line of retreat, proceeded to

envelop the Confederate right, while, early the following morning, Meade had commanded a general advance. The answer I received was immediate: "Without question we would have been destroyed. We all that night fully expected it; and could not understand next day why we were unmo-
lested. My ammunition" — for he was an officer of artillery — "was exhausted."

But in all this, as in every speculation of the sort, — and the history of warfare is replete with them, — the "if" is much in evidence; as much in evidence, indeed, as it is in a certain familiar Shakesperian disquisition. I here introduce what I have said on this topic simply to illustrate what may be described as the balance of miscarriages inseparable from warfare. On the other hand, the manner in which Lee met disaster at Gettysburg, and the combination of serene courage, and consequent skill, with which he extricated his army from a most critical situation commands admiration. I would here say nothing depreciatory of General Meade. He was an accomplished officer as well as a brave soldier. Placed suddenly in a most trying position, — assigned to chief command when battle was already joined, — untried in his new sphere of action, and caught unprepared, — he fought at Gettysburg a stubborn,

gallant fight. With chances at the beginning heavily against him, he saved the day. Personally, I was later under deep obligation to General Meade. He too had character. None the less, as I have already pointed out, I fully believe that on the fourth day at Gettysburg Meade had but firmly to close his hand, and the Army of Northern Virginia was crushed. Perhaps under all the circumstances it was too much to have expected of him; certainly it was not done. Then Lee in turn did avail himself of his opportunity. Skilfully, proudly though sullenly, preserving an unbroken front, he withdrew to Virginia. That withdrawal was masterly.

Narrowly escaping destruction at Gettysburg, my next contention is that Lee and the Army of Northern Virginia never sustained defeat. Finally, it is true, succumbing to exhaustion, to the end they were not overthrown in fight. And here I approach a large topic, but one closely interwoven with Lee's military career; in fact, as I see it, the explanation of what finally occurred. What then was it that brought about the collapse of the Army of Northern Virginia, and the consequent downfall of the Confederacy? The literature of the War of Secession now constitutes a library in itself. Especially is this true of it in its military aspects. The shelves are crowded

with memoirs and biographies of its generals, the stories of its campaigns, the records and achievements of its armies, its army corps and its regiments. Yet I make bold to say that no well and philosophically considered narrative of the struggle has yet appeared; nor has any satisfactory or comprehensive explanation been given of its extraordinary and unanticipated outcome. Let me briefly set it forth as I see it; only by so doing can I explain what I mean.

Tersely put, dealing only with outlines, the southern community in 1861 precipitated a conflict on the slavery issue, in implicit reliance on its own warlike capacity and resources, the extent and very defensible character of its territory, and, above all, on its complete control of cotton as the great staple textile fabric of modern civilization. That the seceding States fully believed in the justice of their cause, and confidently appealed to it, I do not question, much less deny. For present purposes let this be conceded in full. But, historically, it is equally clear that to vindicate the right, next to their own manhood and determination, they relied in all possible confidence on their apparently absolute control of one commercial staple. When, therefore, in 1858, with the shadow of the impending conflict darkening the hori-

zon, a thoughtful senator from South Carolina, one on whom the mantle of Calhoun had fallen, declared that "*Cotton is King*," that "no power on earth dares to make war on it," that "without firing a gun, without drawing a sword," the cotton-producing South could, if war was declared upon it, bring "the whole world" to its feet, he only gave utterance to what was in the South accepted as a fundamental article of political and economical faith. Suggesting the contingency that no cotton was forthcoming from the South for a period of three years, the same senator declared, "this is certain: England would topple headlong and carry the whole civilized world with her, save the South. Who," he then exclaimed, "that has looked on recent events, can doubt that cotton is supreme." In case of conflict, cotton, if it went forth, was to supply the South with the sinews of warfare; if it did not go forth the lack of it would bring about European civil commotion, and compel foreign intervention. In either case the South was secure. As to a maritime blockade of the South, shutting it up to die of inanition, the idea was chimerical. No such feat of maritime force ever had been accomplished, it was claimed; nor was it possible of accomplishment. To "talk of putting up a wall of fire around eight hundred

and fifty thousand square miles" situated as the Confederacy was, with its twelve thousand miles of seacoast, was pronounced too "absurd" for serious discussion. And, certainly, that no such thing had ever yet been done was undeniable. But, even supposing it were possible of accomplishment, the doing it would but the more effectively play the Confederate game. It would compel intervention. As well shut off bread from the manufacturing centres of Europe as stop their supply of cotton. In any or either event, and in any contingency which might arise, the victory of the Confederacy was assured. And this theory of the situation and its outcome was accepted by the southern community as indisputable.

What occurred? In each case that which had been pronounced impossible of occurrence. On land the Confederacy had an ample force of men, they swarmed to the standards; and no better or more reliable material was ever gathered together. Well and skilfully marshalled, the Confederate soldier did on the march and in battle all that needed to be done. Nor were the two sides unequally matched so far as the land arrays were concerned. As Lee with his instinctive military sense put it even in the closing stages of the struggle — "The proportion of experienced troops is larger in our army than in that

of the enemy, while his numbers exceed our own." And in warfare experience, combined with an advantageous defensive, counts for a great deal. This was so throughout the conflict; and yet the Confederate cause sank in failure. It did so to the complete surprise of a bewildered world; for, in Europe, the ultimate success of the South was accepted as a foregone conclusion. To such an extent was this the case that the wisest and most far-seeing of English public men did not hesitate to stake their reputation for foresight upon it as a result. How was the wholly unexpected actual outcome brought about? The simple answer is, — The Confederacy collapsed from inanition. Suffering such occasional reverses and defeats as are incidental to all warfare, it was never crushed in battle or on the field, until its strength was sapped away by want of food. It died of exhaustion, — starved and gasping!

Take a living organism, whatever it may be, place it in a vessel hermetically sealed, and attach to that vessel an air pump. You know what follows. It is needless to describe it. No matter how strong or fierce or self-confident it may be, the victim dies; growing weaker by degrees, it finally collapses. That was the exact condition and fate of the Confederacy. What had been confidently pronounced im-

possible was done. The Confederacy was sealed up within itself by the blockade; and the complete exclusion of cotton from the manufacturing centres of Europe did not cause revolution there, nor compel intervention here. Man's foresight once more came to grief. As usual, it was the unexpected which occurred.

Thus the two decisive defeats of the Confederacy, — those which really brought about its downfall and compelled Lee to lay down his arms, — were inflicted not before Vicksburg nor yet in Virginia, — not in the field at all; they were sustained, the one, almost by default, on the ocean; the other, most fatal of all, after sharpest struggle in Lancashire. The story of that Lancashire Cotton Famine of 1861 to 1864 has never been adequately told in connection with our Civil War. Simply ignored by the standard historians, it was yet the Confederacy's fiercest fight, and its most decisive as well as most far-reaching defeat. A momentous conflict, the supremacy of the Union on the ocean hung on its issue; and upon that supremacy depended every considerable land operation: — the retention by the Confederacy of New Orleans, and the consequent control of the Mississippi; Sherman's march to the sea; the movement through the Carolinas; the operations before Petersburg; gen-

erally, the maintenance of the Confederate armies in the field. It is in fact no exaggeration to assert that both the conception and the carrying out of every large Union operation of the war without a single exception hinged and depended on complete national maritime supremacy. It is equally indisputable that the struggle in Lancashire was decisive of that supremacy. As Lee himself admitted in the death agony of the Confederacy, he had never believed it could in the long run make good its independence "unless Foreign Powers should, directly or indirectly, assist" it in so doing. Thus, strange as it sounds, it follows as a logical consequence that Lee and his Army of Northern Virginia were first reduced to inaction, and finally compelled to succumb, as the result of events on the other side of the Atlantic, largely stimulated by a moral impulse over which they could exert no control. The great and loudly trumpeted cotton campaign of the Confederacy was its most signal failure; and that failure was decisive of the war.

It is very curious, at times almost comical, to trace historical parallels. Plutarch is, of course, the standard exemplar of that sort of treatment. Among other great careers, Plutarch, as every college boy knows, tells the story of King Pyrrhus, the Epirot. A great captain, Pyrrhus devised a military formation

which his opponents could not successfully face, and his career was consequently one of victory. But at last he met his fate. Assaulting the town of Argos, he became entangled in its streets; and, fighting his way out, he was struck down, and killed, by a tile thrown from a house-top by an Argive woman. The Confederacy, and, through the Confederacy, Lee underwent a not dissimilar fate; for, as an historical fact, it was a missile from a woman's hand which was decisive of that Lancashire conflict, and so doomed the Confederacy. A startling proposition; but proof quite irrefutable of it exists in a publication to which as an authority no Southern writer at least will take exception, the organ established in London by the agents of the Confederacy in 1862. Sustained as long as the conflict continued from Confederate funds, with a view to influencing European public opinion, the Index, as it was called, collapsed with the Confederacy in July, 1865. Naturally those in charge of it watched with feverish interest the progress of the cotton famine. Not only was the British pocket nerve touched at its most sensitive point, but in Lancashire starvation emphasized financial distress. The pressure thus brought to bear on public opinion in Great Britain, and, through that public opinion, on the policy of Europe, was confidently counted

on for results decisive of the American struggle. Ten years before Harriet Beecher Stowe had launched through the press her *Uncle Tom's Cabin*. Translated into every civilized tongue, it had soon become world literature. In Great Britain, and especially in Lancashire, it "carried the new gospel to every cabin in the land." Whoever in those days read anything, read *Uncle Tom's Cabin*. That it was a correct portrayal of conditions actually existing in the region wherein the incidents narrated were supposed to have occurred, is not now to be considered. That Uncle Tom himself was a type of his race, or indeed even a possibility in it, few would now be disposed to contend.¹ Ethically, he was a Christian martyr of the most advanced description and, on the large class who accepted the work as a correct portrayal, the pathetic story and cruel fate of the colored saint, moralist and philosopher made an indelible impression. Indeed, that female and sentimentalist portrayal lent a force which has not yet spent itself to the contention that the only difference between the Ethiopian and the Caucasian is

¹ J. C. Read, *The Brothers' War*, pp. 194-198. There is in Mr. Read's book, published fifty years after the appearance of Mrs. Stowe's historic tale and forty years after the Proclamation of Emancipation, a chapter (ix) entitled, "*Uncle Tom's Cabin*," in which are to be found the views of an observant and reflecting Georgian on the statement in the text.

epidermal; the negro being in fact merely a white man — a Yankee, if you please — who, having a black skin, has never been given a chance! Nay, more! if Uncle Tom and Legree were to be accepted as types, the black man was superior naturally to the white; for Uncle Tom was a fully developed moralist, while Legree was a demon incarnate. And this presentation of life and manners, and this portrayal of typical racial characters were in Lancashire implicitly accepted as gospel truth! Such indisputably was the fact; and, when the final issue was joined, the fact told heavily against the Confederacy. In contemplation of it, — realizing the handicap thus imposed, the burden of which at the moment the historian has since ignored, and few consequently now appreciate, — the writers for the *Index* fairly cried aloud in agony. Their wail, long repeated, has in it as now read an element of the comic. The patience of the victims of the cotton famine, they declared, was the extraordinary feature of the foreign situation; and the agents of the Confederacy noted with unconcealed dismay the absence of political demonstrations calculated to urge on a not unwilling Palmerston ministry “its duty to its suffering subjects.” There was but one way of accounting for it. Uncle Tom and Legree were respectively doing their work. So

it was that the Index despairingly at last declared — “The emancipation of the negro from the slavery of Mrs. Beecher Stowe’s heroes is the one idea of the millions of British who know no better, and do not care to know.” Like the Cherubim with the flaming sword this sentiment stood between Lancashire and cotton; and the inviolate blockade made possible the subjugation of the Confederacy. With Pyrrhus, it was the tile thrown by a woman from the house-top; with Lee, it was a book by a woman issued from the printing press! The missiles were equally fatal. It was only a difference of time, and its changed conditions.

Foreign intervention being thus withheld, and the control of the sea by the Union made absolute, the blockade was gradually perfected. The fateful process then went steadily on. Armies might be resisted in the field; the working of the air pump could not be stopped: and, day and night, season after season, the air pump worked. So the atmosphere of the Confederacy became more and more attenuated, respiration sensibly harder. Air-hole on air-hole was closed. First New Orleans fell; then Vicksburg, and the Mississippi flowed free; next Sherman, securely counting on the control of the sea as a base of new operations on land, penetrated the vitals of the Confeder-

acy; then, relying still on maritime coöperation, he pursued his almost unopposed way through the Carolinas; while Grant, with his base secure upon the James and Fortress Monroe, beleaguered Richmond. Lee with his Army of Northern Virginia calmly, but watchfully and resolutely, confronted him. The Confederate lines were long and thin, guarded by poorly clad and half-fed men. But, veterans, they held their assailants firmly at bay. As Lee, however, fully realized, it was only a question of time. The working of the air pump was beyond his sphere either of influence or operations. Nothing could stop it.

As early as the close of 1863 Lee wrote of his men, "Thousands are bare-footed, a greater number partially shod, and nearly all without overcoats, blankets, or warm clothing;" and later, in the dead of winter, referring to the elementary necessities of any successful warfare, he said, — "The supply, by running the blockade, has become so precarious that I think we should turn our attention to our own resources . . . as a further dependence upon those from abroad can result in nothing but increase of suffering and want." The conclusion here drawn, while necessary, was extremely suggestive. "Our own resources!" — the Confederacy had always prided itself on being a purely agricultural community.

With institutions patriarchal in character, it had looked upon the people of the North as its agents and factors, and those of Europe as its skilled workmen and artisans; and now that community shut up within its own limits, under conditions of warfare active and severe, had only itself to rely upon for a supply of everything its defenders needed, from munitions to shoes, from blankets to medicines and even soap. Viewed in a half century's perspective, the situation was simply and manifestly impossible of continuance. To it there could be but one outcome; and when at last on the 16th of January, 1865, the telegraph announced the fall of Fort Fisher, the Confederacy felt itself hermetically sealed. Wilmington, its last breathing hole, was closed. Still, not the less for that, the air pump kept on in its deadly silent work.

Three months later the long-delayed inevitable occurred. The collapse came. That under such conditions it should have been so long in coming is now the only legitimate cause of surprise. That adversity is the test of man is a commonplace; that Lee and his Army of Northern Virginia were during the long, dragging winter of 1864-5 most direfully subjected to that test need not here be said; any more than it is needful to say that they bore the test manfully. But the handwriting

was on the wall; the men were taxed beyond the limits of human endurance. And Lee knew it. "Yesterday, the most inclement day of the winter," he reported on February 8, 1865, the right wing of his army "had to be retained in line of battle, having been in the same condition the two previous days and nights. . . . Under these circumstances, heightened by assaults and fire of the enemy, some of the men had been without meat for three days, and all were suffering from reduced rations and scant clothing, exposed to battle, cold, hail and sleet. . . . The physical strength of the men, if their courage survives, must fail under this treatment." If it was so with the men, with the animals it was even worse. "Our cavalry," he added, "has to be dispersed for want of forage." Even thus Lee's army faced an opponent vastly superior in numbers, whose ranks were being constantly replenished; a force armed, clothed, equipped, fed and sheltered as no similar force in the world's history had ever been before. I state only indisputable facts. Lee proved equal to even this occasion. Bearing a bold, confident front, he was serene and outwardly calm; alert, resourceful, formidable to the last, individually he showed no sign of weakness, not even occasional petulance. Inspired by his example, the whole South seemed

to lean up against him in implicit, loving reliance. It was a superlative tribute to Character. Finally, when in April the summons to conflict came, the Army of Northern Virginia, the single remaining considerable organized force of the Confederacy, seemed to stagger to its feet, and, gaunt and grim, shivering with cold and emaciated with hunger, worn down by hard, unceasing attrition, it faced its enemy, formidable still. As I have since studied that situation, listened to the accounts of Confederate officers active in the closing movements, and read the letters written me by those of the rank and file, it has seemed as if Lee's command then cohered and moved by mere force of habit. Those composing it failed to realize the utter hopelessness of the situation — the disparity of the conflict. I am sure Jefferson Davis failed to realize it; so, I think, in less degree, did Lee. They talked, for instance, of recruits and of a levy in mass; Lee counselled the arming of the slaves; and when, after Lee had surrendered, Davis on the 10th of April, 1865, held his last war conference at Greensboro, he was still confident he would in a few weeks have another army in the field, and did not hesitate to express his faith that "we can whip the enemy yet, if our people will turn out." I have often pondered over

what Davis had in mind when he ventured this opinion; or what led Lee to advocate the enlistment of negroes. Both were soldiers; and, besides being great in his profession, Lee was more familiar than any other man alive with actual conditions then existing in the Confederate camps. Both Davis and Lee, therefore, must have known that, in those final stages of the conflict, if the stamp of a foot upon the ground would have brought a million men into the field, the cause of the Confederacy would thereby have been in no wise strengthened; on the contrary, what was already bad would have been made much worse. For, to be effective in warfare, men must be fed and clothed and armed. Organized in commands, they must have rations as well as ammunition, commissary and quartermaster trains, artillery horses and forage. In the closing months of the Civil War, both Lee and Davis knew perfectly well that they could not arm, nor feed, nor clothe, nor transport the forces already in the field; they were themselves without money, and the soldiers most inadequately supplied with arms, clothing, quartermaster or medical supplies, commissariat or ammunition. Notoriously, those then on the muster-rolls were going home, or deserting to the enemy, as the one alternative to death from privation — hunger

and cold. If then, a million, or even only a poor hundred thousand fresh recruits had in answer to the summons swarmed to the lines around Richmond, how would it have bettered the situation? An organized army is a mighty consumer of food and material; and food and material have to be served out to it every day. It must be fed as regularly as the sun rises and sets. And the organized resources of the Confederacy were exhausted; its granaries — Georgia and the valley of the Shenandoah — were notoriously devastated and desolate; its lines of communication and supply were cut, or in the hands of the invader.

Realizing this, when the time was ripe, Lee rose to the full height of the great occasion. The value of Character made itself felt. The service Lee now rendered to the common country, the obligation under which he placed us whether of the North or South, has not, I think, been always appreciated; and to overstate it would be difficult. Again to put on record my estimate of it brings me here to-day.

That the situation was to the last degree critical is matter of history. Further organized resistance on the part of the Confederacy was impossible. The means for it did not exist; could not be had. Cut off completely from the outer world, the South was consuming itself, — feeding on its own vitals.

The single alternative to surrender was disbandment and irregular warfare. As General Johnston afterwards wrote, "without the means of purchasing supplies of any kind, or procuring or repairing arms, we could continue the war only as robbers or guerrillas." But that it should be so continued was wholly possible; nay more, it was in the line of precedent, — it had been done before, and, more than once, it has since been done, notably in South Africa. It was, moreover, the course advocated by many southern participants in the struggle as that proper to be pursued; and that it would be pursued was accepted as of course by all foreign observers, and by the organ of the Confederacy in London. "A strenuous resistance and not surrender," it was there declared, "was the unalterable determination of the Confederate authorities." Lee's own son, then in the Army of Northern Virginia, but by chance not included in the surrender, has since described how surprised and incredulous he was when news of it first reached him; and, "not believing for an instant that our struggle was over," he made his way at once to Jefferson Davis, at Greensboro. At the time of his capture Davis himself, wholly unsubdued in spirit, was moving in the direction of the Mississippi intent on organizing resistance in

Texas, — a resistance which the writers of the Index confidently predicted would “be fierce, ferocious and of long duration,” — “a successful or at least a protracted resistance.”

Indeed, had the veil over the immediate future then been lifted, and the outrages, and humiliations worse than outrage, of the period of so-called reconstruction, but actual servile domination, now to ensue revealed itself, no room for doubt exists that the dread alternative would have been adopted. Even as it was, the scales hung trembling. Anything or everything was possible; even that mad pistol shot of the theatrical fool which five days later so irretrievably complicated a delicate and dangerous situation. None the less, what Lee and Grant had done at Appomattox on April 9 could not be wholly undone even by the deed in Ford's theatre of April 14; much had been secured. Of Appomattox, and what there occurred, I do not care here to speak. I feel I could not speak adequately, or in words sufficiently simple; for, in my judgment, there is not in our whole history as a people any incident so creditable to our manhood, — so indicative of our racial possession of Character. Marked throughout by a straightforward dignity of personal bearing and propriety in action, it was marred by no touch of the theatrical,

no effort at posturing. I know not to which of the two leaders, there face to face, preference should be given. They were thoroughly typical, the one of Illinois and the New West, the other of Virginia and the Old Dominion. Grant was considerate and magnanimous, — restrained in victory; Lee, dignified in defeat, carried himself with that sense of absolute fitness which compelled respect. Verily! — “he that ruleth his spirit is better than he that taketh a city”!

The lead that day given by Lee proved decisive of the course to be pursued by his fellows with arms in their hands. At first, and for a brief space, there was in the Confederate councils much diversity of opinion as to what should or could be done. Calm and dignified in presence of overwhelming disaster, the voice of Jefferson Davis was that of Milton's “scepter'd king:” — “My sentence is for open war!” Lee was not there; none the less, Lee, absent, prevailed over Davis. The sober second thought satisfied all but the most extreme that what he had done they best might do. Thus the die was cast. And now, forty years and more after the event, it is appalling to reflect what in all human probability would have resulted had the choice then been other than it was, — had Lee's personality and character not intervened.

The struggle had lasted four full years; the assassination of Lincoln was as oil on the Union fire. With a million men, inured to war, on the national muster rolls, men impatient of further resistance, accustomed to license and now educated up to a belief that war was Hell, and that the best way to bring it to a close was to intensify Hell, — with such a force as this to reckon with, made more reckless in brutality by the assassin's senseless shot, the Confederacy need have looked for no consideration, no mercy. Visited by the besom of destruction, it would have been harried out of existence. Fire and sword sweeping over it, what the sword spared the fire would have consumed. Whether such an outcome of a prolonged conflict — what was recently witnessed in South Africa — would in its result have been more morally injurious to the North than it would have been physically destructive to the South, is not now to be considered. It would, however, assuredly have come about.

From that crown of sorrows Lee saved the common country. He was the one man in the Confederacy who could exercise decisive influence. It was the night of the 8th of April, lacking ten days only of exactly four full years, — years very full for us who lived through them — since that not dissimilar night when

Lee had paced the floor at Arlington, communing with himself over the fateful issue, a decision on which was then forced upon him. A decision of even greater import was now to be reached, and reached by him. A commander of the usual cast would under such circumstances have sought advice — perhaps support; at least, a divided responsibility. Even though himself by nature and habit a masterful man and one accustomed to direct, he would have called a council, and harkened to those composing it. This Lee did not do. A singularly self-poised man, he sought no external aid. Sitting before his bivouac fire at Appomattox he reviewed the situation. Doing so, as before at Arlington, he reached his own conclusion. That conclusion he himself at the time expressed in words, brief, indeed, but vibrating with moral triumph: — “The question is, is it right to surrender this army? If it is right, then I will take all the responsibility.” The conclusion reached at Arlington in the April night of 1861 to some seems to have been wrong — inexcusable even; all concur in that reached before the Appomattox camp-fire in the April vigils of 1865. He then a second time decided; and he decided right.

His work was done; but from failure he plucked triumph. Thenceforth Lee wore

defeat as 't were a laurel crown. A few days later a small group of horsemen appeared in the morning hours on the further side of the Richmond pontoons across the James. By some strange intuition it became known that General Lee was of the party; and, silent and uncovered, a crowd — Virginians all — gathered along the route the horsemen would take. "There was no excitement, no hurrahing; but as the great chief passed, a deep, loving murmur, greater than these, rose from the very hearts of the crowd. Taking off his hat, and simply bowing his head, the man great in adversity passed silently to his own door; it closed upon him; and his people had seen him for the last time in his battle harness."

From the day that he affixed his signature to the terms of surrender submitted to him by Grant at Appomattox to the day when he drew a dying breath at Lexington, Lee's subsequent course was consistent. In his case there was no vacillation, no regretful glances backward thrown. When, four months after the last hostile shot was fired, he was invited to assume the presidency of this college, though then under indictment, in flagrant disregard of the immunity assured him when he gave his parole, he briefly set forth his views. "I think it," he wrote, "the duty of every citizen, in the

present condition of the country, to do all in his power to aid in the restoration of peace and harmony, and in no way to oppose the policy of the State or General Governments directed to that object." And, four days later, writing to the Confederate Governor of Virginia, he said — "The duty of [Virginian] citizens appears to me too plain to admit of doubt. All should unite in honest efforts to obliterate the effects of war, and to restore the blessings of peace. They should remain if possible in the country; promote harmony and good feeling; qualify themselves to vote, and elect to the State and general legislatures wise and patriotic men, who will devote their abilities to the healing of all dissensions. I have," he added, "invariably recommended this course since the cessation of hostilities, and have endeavored to practice it myself." Here was a complete exposition of duty, combined with abnegation of self; the purest patriotism, it was also the concentrated essence of statesmanship. He counselled with a wisdom not less profound because unconscious; and what he said evinced that underlying common sense which in politics avails more than genius.

Five years of life and active usefulness yet remained to General Lee — years in my judgment most creditable to himself, the most useful to his country of his whole life; for, during

them, he set to Virginia and his own people a high example, — an example of lofty character and simple bearing. Uttering no complaints, entering into no controversies, he was as one, in suffering all, that suffers nothing. His blood and judgment were well commingled; and so it fell out that he accepted fortune's buffets and rewards with equal thanks. His record and appearance during those final years are pleasant to dwell upon, for they reflect honor on our American manhood. Turning his face courageously to the future, he uttered no word of repining over the past. Yet, like the noble Moor, his occupation also was gone —

“The royal banner, and all quality,
Pride, pomp and circumstance of glorious war!”

But with Lee this did not imply

“Farewell the tranquil mind! farewell content!”

Far from it; for as the gates closed on the old occupation, they opened on a new. And it was an occupation through which he gave to his country, North and South, a priceless gift.

Speaking advisedly and on full reflection, I say that of all the great characters of the Civil War, and it was productive of many whose names and deeds posterity will long bear in recollection, there was not one who passed away in the serene atmosphere and with the

gracious bearing of Lee. From beginning to end those parting years of his will bear closest scrutiny. There was about them nothing venal, nothing querulous, nothing in any way sordid or disappointing. In his case there was no anti-climax; for those closing years were dignified, patient, useful; sweet in domesticity, they in all things commanded respect. It is pleasant to catch glimpses of the erstwhile commander in that quiet Virginia life. There is in the picture something altogether human—intensely sympathetic. “Traveller,” he would write, “is my only companion; I may also say my pleasure. He and I, whenever practicable, wander out in the mountains and enjoy sweet confidence.” Or again we see him, always with Traveller, the famous old charger this time “stepping very proudly,” as his rider showed those two little sunbonneted daughters of a professor, astride of a plodding old horse, over a pleasant road, quite unknown to them. Once more in imagination we may ride, his companions, through those mountain roads of his dearly loved Virginia, or seek shelter with him and his daughter from a thunder-shower in the log cabin, the inmates of which are stunned when too late they realize that the courtly, gracious intruder was no other than the idolized General Lee. Indifferent to wealth, he was scrupulous as

respects those money dealings a carelessness in regard to which has embittered the lives of so many of our public men, as not infrequently it has tarnished their fame. Lee's career will be scrutinized in vain for a suggestion even of the sordid, or of an obligation he failed to meet. He was nothing if not self-respecting. He once wrote to a member of his family "‘vile dross’ has never been a drug with me," yet his generosity as a giver from his narrow means was limited only by his resources. Restricting his own wants to necessities, he contributed, to an extent which excites surprise, to both public calls and private needs. But the most priceless of those contributions were contained in the precepts he inculcated and in the unconscious example he set during those closing years.

Lee was at the head of Washington College from October, 1865, to October, 1870; a very insufficient time in which to accomplish any considerable work. A man of fast advancing years, he also then had sufficient cause to feel a sense of lassitude. He showed no signs of it. On the contrary, closely studied, those years, and Lee's bearing in them, were in certain respects the most remarkable as well as the most creditable of his life; they impressed unmistakably upon it the stamp of true greatness. Unable to pass them wholly over, I shall

deal very briefly with them. His own means of subsistence having been swept away by war, — the property of his wife as well as his own having been sequestered and confiscated in utter disregard not only of law, but — I add it regretfully — of decency, — a mere pittance, designated in courtesy “salary,” under his prudent management was made to suffice for the needs of an establishment the quiet dignity of which even exceeded its severe simplicity. Within five months of the downfall of the Confederacy, he addressed himself to his new vocation. Coming to it from crushing defeat, about him there was nothing suggestive of disappointment; and thereafter through public trials and private misfortunes — for it pleased Heaven to try him with afflictions — he bore himself with serene patience, and a mingled firmness and sweetness of temper to which mere words fail to do justice. More than that, becoming interested in his new work, he evinced, it would seem, as the head of a college a grasp of educational problems not less clear and intelligent than he had previously shown of strategic conditions. It was indeed extraordinary that a man educated in a military school, first an engineer, then an officer of cavalry, and finally a general in charge of large field operations, should, when approaching his sixtieth year, have

given proof of such mental activity and freshness. Fully realizing the needs and requirements of the present age, the former commandant of West Point was the ardent advocate of complete classical and literary culture. Utterly out of sympathy with the modern advocates of materialistic education, he yet recognized the fact that material well-being is, for a people, the condition of all high civilization; and, accordingly, sought to provide, in the institution of which he was the head, all means for the development of science, and its practical application. With a large and correct conception he planned, therefore, to connect all the departments of literary, scientific, and professional education, and to consolidate them under a common organization. He thus outlined a true university. So, at an early day he called into existence, as adjuncts of the college he found prostrate and well-nigh moribund, schools of Applied Mathematics, of Engineering and of Law; while later he submitted to its Board of Trustees a matured scheme for the complete development of the scientific and professional departments. His death, just before he had yet reached the grand climacteric, prevented the full development of his great conception. None the less, he had shown himself fully equal to the new demand upon him.

The most marked feature of his educational career was, however, the moral influence he exerted on the student body, — what has most fitly been described by one associated with him as “the mighty influence of his personal character.” Here, as in the Army of Northern Virginia, this was all-powerful. It was sorely needed, too; for the young men of the South were wild, and resented efforts at restraint. Grown up in an environment of warfare and consequent violence, they were somewhat disposed to take matters into their own hands, — to be, in a word, a law unto themselves; but, under Lee’s presidency, the elevation of tone in this respect, and the consequent improvement in student conduct were, we are on good evidence assured, marked and rapid. Acts of disorder became infrequent; and in the latter years of Lee’s brief administration it is said that “hardly a single case of serious discipline occurred.” A Boston student of Washington College in those years — sent there because of the feelings of profound respect for Lee entertained by his Northern father — has since borne witness to me of the personal interest taken by Washington’s president in the individual students. In close sympathy with the modern university spirit, the youth in question was, I have reason to suppose, far more addicted to athletics than to his text-books.

“This lack of proficiency in my studies,” he has recently written me, “was, of course, a matter for which I was frequently called into the presence of General Lee; and I fully appreciate now, though I did not then, the difficulties under which he labored; for, if he had expelled me, as under similar circumstances he undoubtedly would have expelled any Southern student, it would have been considered a factional matter. He would plead most earnestly with me always that I should attend more to my studies and less to athletics, and never a harsh word during the entire period.”

It remains to assign due weight and value to these precepts and this great example at just that juncture and from just that man. And here, bearing in mind the common country, — the community to which I belong as well as that I now address, — I feel I tread on dangerous ground. What I must necessarily say will be very susceptible of misconstruction. Speaking, however, in the true historical spirit, as throughout I have sought to do, I must deal with this topic also as best I can.

Because no blood flowed on the scaffold, and no confiscations of houses or lands marked the close of our war of Secession, it has always been assumed by us of the victorious party that extreme, indeed unprece-

dented, clemency was shown to the vanquished, and that subsequently they had no good ground of complaint or sufficient cause for restiveness. That history will accord assent to this somewhat self-complacent conviction is open to question. On the contrary, it may not unfairly be doubted whether a people prostrate after civil strife has often received severer measure than was inflicted on the so-called reconstructed Confederate States during the years immediately succeeding the close of strife. Adam Smith somewhere defined Rebels and Heretics as "those unlucky persons who, when things have come to a certain degree of violence, have the misfortune to be of the weaker party." Spoliation and physical suffering have immemorably been their lot. The Confederate, it is true, when he ceased to resist, escaped this visitation in its usual and time-approved form. Nevertheless, he was by no means exempt from it. In the matter of confiscation, it has been computed that the freeing of the slaves by act of war swept out of existence property valued at some two thousand millions; while, over and above this, a system of simultaneous reconstruction subjected the disfranchised master to the rule of the enfranchised bondsman. For a community conspicuously masterful, and notoriously

quick to resent affront, to be thus placed by alien force under the civil rule of those of a different and distinctly inferior race, only lately their property, is not physical torment, it is true, but that it is mild or considerate treatment can hardly be contended. Yet this — slave confiscation, and reconstruction under African rule — was the war penalty imposed on the States of the Confederacy. That the policy inspired at the time a feeling of bitter resentment in the South was no cause for wonder. Upon it time has already recorded a verdict. Following the high precedent set at Appomattox it was distinctly unworthy. Conceived in passion, it ignored both science and the philosophy of statesmanship; worse yet, it was ungenerous. Lee, for instance, again setting the example, applied formally for amnesty and a restoration of civil rights within two months of his surrender. His application was silently ignored; while he died “a prisoner on parole,” the suffrage denied him was conferred on his manumitted slaves. Verily, it was not alone the base Indian of the olden time who “threw a pearl away richer than all his tribe”!

But on such a rejection and choice of material as this was the so-called reconstruction edifice based; nor is it matter for wonder that it speedily crumbled away. It was under

these conditions that Lee's bearing and example were of special national importance. The one political result the States of the Confederacy should ever have kept steadily in view after strife closed was the restoration of local self-government; and that, under the traditions and political instincts of the American community, was sure to come. It was only a question of time; and patience and self-restraint were the two qualities most sure to hasten the steps of time. "We shall have to be patient," Lee in March, 1866, wrote to old companions in arms, "and suffer for a while at least; . . . I hope, in time, peace will be restored to the country, and that the South may enjoy some measure of prosperity. I fear, however, much suffering is still in store for her, and that her people must be prepared to exercise fortitude and forbearance." To those to whom it was addressed, no wiser or more tactful counsel could at that juncture (March, 1866) have been imparted; for, while Lee himself possessed those virtues to a well-nigh unexampled degree, patience and self-restraint have not been generally accepted as most conspicuous among the many manly and ennobling qualities of the race to which Lee belonged.

In the passage with which I began, it was observed by Emerson that "Character de-

notes habitual self-possession, habitual regard to interior and constitutional motives, a balance not to be upset or easily disturbed by outward events and opinion." To my knowledge I never saw General Lee; I certainly never stood in his presence, nor exchanged a word with him. On the few occasions when I was a guest in his house, he chanced to be absent. Even that was long ago; while he and his family still lived at Arlington. Thus I know him only by report, and through his letters. But, if the report of those who did know him well, and the evidence of what he wrote, may be relied on, "habitual self-possession, habitual regard to interior and constitutional motives, a balance not to be upset or easily disturbed by outward events and opinion," were his to an eminent degree, — a degree which his harshest and most prejudiced critic could not ignore. That, himself a devout man and by conviction sincerely religious, he was neither ashamed nor afraid so publicly to profess himself, may be read in his repeated army orders; or, to such as prefer there to look for it, in his family letters. What more expressive of a profound religious faith could be imagined than these words written in the very shadow of Gettysburg's disaster to the dying wife of his wounded and captured son?

—“In his own good time He will relieve us, and make all things work together for our good, if we give Him our love and place in Him our trust.” That his immediate family circle regarded him with the affectionate devotion founded on respect which is the surest indication of those sterling and fundamental qualities which alone can cause a man to seem a hero to those near to him, — the confidants of his privacy, — appears from those family letters and recollections which have been so freely published. That he impressed himself on those about him in his professional and public life to an uncommon extent, — that the soldiers of the Army of Northern Virginia as well as those of his staff and in high command felt not only implicit and unquestioning confidence in him but to him a strong personal affection, is established by their concurrent testimony. He, too, might well have said with Brutus: —

“My heart doth joy that yet in all my life
I found no man but he was true to me.
I shall have glory by this losing day.”

Finally, one who knew him well has written of him — “He had the quiet bearing of a powerful yet harmonious nature. An unruffled calm upon his countenance betokened the concentration and control of the whole being within. He was a kingly man whom

all men who came into his presence expected to obey." That he was gifted in a prominent degree with the *mens aequa in arduis* of the Roman poet, none deny.

And now, Virginians, a word with you in closing: "Show me the man you honor; I know by that symptom, better than by any other, what kind of man you yourself are. For you show me then what your ideal of manhood is; what kind of man you long possibly to be, and would thank the Gods, with your whole soul, for being if you could. Whom shall we consecrate and set apart as one of our sacred men? Sacred; that all men may see him, be reminded of him, and, by new example added to old perpetual precept, be taught what is real worth in man. Whom do you wish to resemble? Him you set on a high column, that all men looking at it, may be continually apprised of the duty you expect from them."

"The virtues of a superior man are like the wind; the virtues of a common man are like the grass; the grass, when the wind passes over it, bends."

APPENDIX

(Page 10)

IN regard to the early utterances of Mr. Webster, the following is from a speech by him in the National House of Representatives, December 9, 1814. It should be borne in mind that this speech was delivered in the midst of the gloomiest period of the War of 1812-15, four months after the battle of Bladensburg and the capture of Washington, and one month before the British were defeated below New Orleans. The speech was first published (1902) by C. H. Van Tyne, in his edition of the Letters of Daniel Webster (p. 67).

“In my opinion [the law under consideration for compulsory army and military service] ought not to be carried into effect. The operation of measures thus unconstitutional and illegal ought to be prevented, by a resort to other measures which are both constitutional and legal. It will be the solemn duty of the State Governments to protect their own authority over their own Militia, and to interpose between their citizens and arbitrary power. These are among the objects for which the State Governments exist; and their highest obligations bind them to the preservation of their own rights and the liberties of their people. I express these sentiments here, Sir, because I shall express them to my constituents. Both they and myself live under a Constitution which teaches us, that ‘the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and

happiness of mankind.' With the same earnestness with which I now exhort you to forbear from these measures, I shall exhort them to exercise their unquestionable right of providing for the security of their own liberties."

William Rawle was in his day an eminent Philadelphia lawyer, and Chancellor of the Law Association of Philadelphia. The principal author of the revised code of Pennsylvania, he stood in the foremost rank of American legal luminaries in the first third of the nineteenth century. His instincts, sympathies, and connections were all national. His *View of the Constitution*, published in Philadelphia in 1825, was the standard text-book on the subject until the publication of *Story's Commentaries*, in 1833. It has been asserted that Rawle's *View* was used as a text-book for the instruction of the students at West Point until after the year 1840. (See prefatory matter to republication of paper entitled *Sectional Misunderstandings*, by Robert Bingham, in *North American Review* of September, 1904.)

"If a faction should attempt to subvert the government of a State for the purpose of destroying its republican form, the paternal power of the Union could thus be called forth to subdue it. Yet it is not to be understood that its interposition would be justifiable if the people of a State should determine to retire from the Union, whether they adopted another or retained the same form of government. (Page 289.) . . .

"The States, then, may wholly withdraw from the Union; but while they continue they must retain the character of representative republics." (Page 290.)

"The secession of a State from the Union depends

on the will of the people of such State. The people alone, as we have already seen, hold the power to alter their constitution. The Constitution of the United States is, to a certain extent, incorporated into the constitutions of the several States by the act of the people. The State legislatures have only to perform certain organical operations in respect to it. To withdraw from the Union comes not within the general scope of their delegated authority. There must be an express provision to that effect inserted in the State constitutions. This is not at present the case with any of them, and it would perhaps be impolitic to confide it to them. A matter so momentous ought not to be entrusted to those who would have it in their power to exercise it lightly and precipitately upon sudden dissatisfaction, or causeless jealousy, perhaps against the interests and the wishes of a majority of their constituents.

“But in any manner by which a secession is to take place, nothing is more certain than that the act should be deliberate, clear, and unequivocal. The perspicuity and solemnity of the original obligation require correspondent qualities in its dissolution. The powers of the general government cannot be defeated or impaired by an ambiguous or implied secession on the part of the State, although a secession may perhaps be conditional. The people of the State may have some reasons to complain in respect to acts of the general government; they may in such cases invest some of their own officers with the power of negotiation, and may declare an absolute secession in case of their failure. Still, however, the secession must in such case be distinctly and peremptorily declared to take place on that event; and in such case, as in the case of an unconditional secession, the previous ligament with the

Union would be legitimately and fairly destroyed. But in either case the people is the only moving power." (Pages 295, 296.)

De Tocqueville cannot, of course, be cited as an authority on American Constitutional Law. Nevertheless, an acute observer, his evidence carries great weight on the question of the views generally current on all constitutional questions at the time he collected the materials for his great work (1831-32). The following extracts bearing upon the topic under discussion are found in the translation of *Democracy in America* by Henry Reeve (London, 1889).

"In America, each State has fewer opportunities of resistance and fewer temptations to non-compliance; nor can such a design be put in execution (if indeed it be entertained) without an open violation of the laws of the Union, a direct interruption of the ordinary course of justice, and a bold declaration of revolt; in a word, without taking a decisive step which men hesitate to adopt." . . . "Here the term Federal government is clearly no longer applicable to a state of things which must be styled an incomplete national government: a form of government has been found out which is neither exactly national nor federal; but no further progress has been made, and the new word which will one day designate this novel invention does not yet exist." (Vol. i, pp. 156, 157.)

"The Union is a vast body which presents no definite object to patriotic feeling. The forms and limits of the State are distinct and circumscribed; since it represents a certain number of objects which are familiar to the citizens and beloved by all. It is identified with the very soil, with the right of property and the do-

mestic affections, with the recollections of the past, the labours of the present, and the hopes of the future. Patriotism, then, which is frequently a mere extension of individual egotism, is still directed to the State, and is not excited by the Union." (Vol. i, p. 394.)

"The Federal Government is, therefore, notwithstanding the precautions of those who founded it, naturally so weak that it more peculiarly requires the free consent of the governed to enable it to subsist.

"If the Union were to undertake to enforce the allegiance of the Confederate States by military means, it would be in a position very analogous to that of England at the time of the War of Independence." (Vol. i, p. 395.)

"The Union was formed by the voluntary agreement of the States; and, in uniting together, they have not forfeited their nationality, nor have they been reduced to the condition of one and the same people. If one of the States chose to withdraw its name from the contract, it would be difficult to disprove its right of doing so; and the Federal Government would have no means of maintaining its claims directly, either by force or by right." (Vol. i, p. 396.)

"It appears to me unquestionable that if any portion of the Union seriously desired to separate itself from the other States, they would not be able, nor indeed would they attempt, to prevent it; and that the present Union will only last as long as the States which compose it choose to continue members of the confederation." (Vol. i, p. 397.)

"The dangers which threaten the American Union do not originate in the diversity of interests or of opinions, but in the various characters and passions of the Americans. The men who inhabit the vast terri-

tory of the United States are almost all the issue of a common stock; but the effects of the climate, and more especially of slavery, have gradually introduced very striking differences between the British settler of the Southern States and the British settler of the North." (Vol. i, p. 402.)

"I think that I have demonstrated that the existence of the present confederation depends entirely on the continued assent of all the confederates; and, starting from this principle, I have inquired into the causes which may induce the several States to separate from the others. The Union may, however, perish in two different ways: one of the confederate States may choose to retire from the compact, and so forcibly to sever the Federal tie; and it is to this supposition that most of the remarks that I have made apply: or the authority of the Federal Government may be progressively entrenched on by the simultaneous tendency of the united republics to resume their independence." (Vol. i, p. 412.)

"The Constitution had not destroyed the distinct sovereignty of the States; and all communities, of whatever nature they may be, are impelled by a secret propensity to assert their independence." (Vol. i, p. 415.)

